

FW

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/766,867
		Filing Date	January 30, 2004
		First Named Inventor	Manabu Komiya
		Art Unit	2872
		Examiner Name	TBD
Total Number of Pages in This Submission	225	Attorney Docket Number	19546.0049

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to File Corrected Application Papers <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form 1449 and 8 references		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael A. Schwartz, Reg. No. 40,161 Swidler Berlin Shereff Friedman LLP
Signature	
Date	June 28, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Manabu Komiyama

Application No. 10/766,867

Filed: January 30, 2004

For: OPTICAL MODULE WITH BUILT-IN WAVELENGTH LOCKER

:
:
:
:
:
:
:
:

Art Unit: 2872

Examiner: TBD

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

For insuring compliance with the applicant's duty of disclosure under 37 CFR § 1.56, the undersigned hereby submits the documents listed on the attached Form PTO-1449 for consideration by the Examiner in charge of the above-identified patent application.

☐ U.S. patent applications which the applicant considers to be related to the above-identified application are as follows:

☒ Concise explanations of the relevance of the non-English language references are found in the English language abstracts attached to document nos.

1. 2001-291928 (also includes corresponding US Patent No. 6,477,190);
2. 2003-185502;
3. 2000-323784;
4. 11-031859;
5. 11-119186 (also includes corresponding US Patent No. 6,545,739); and
6. 04-196188

☐ The relevance of the references is indicated on the enclosed copy of the Search Report for the priority application.

These documents are being submitted (check only one of the next four boxes):

- ☐ within three months of the filing of the above U.S. national application or of the date of entry of the U.S. national stage in an International Patent Application (no fee is due);
- ☒ before receiving a first Office Action on the merits of the above-identified patent application; or before receiving a first Office Action after filing of a Request for Continued Examination (no fee is due);
- ☐ following receipt of a first Office Action, but before issuance of a Final Office Action or a Notice of Allowance (if this box is checked, one of the last three boxes also must be checked);

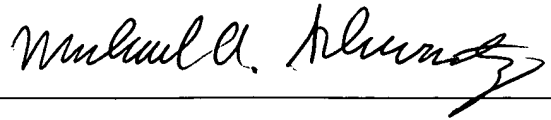
OR

- ☐ following receipt of a Notice of Allowance or a Final Office Action (if this box is checked, the next box and one of the last two boxes also must be checked).
- ☐ The Commissioner is hereby authorized to charge Deposit Account 19-5127, in the amount of \$180.00 for payment of the fee set forth in 37 CFR § 1.17(p).
- ☐ The undersigned certifies that each item of this information is being submitted within three months of the date it was cited by a foreign patent office in a counterpart application.
- ☐ The undersigned certifies that, after making reasonable inquiry, he/she has no knowledge that any item of this information was cited by a foreign patent office in a counterpart application or was known more than three months prior to this submission.

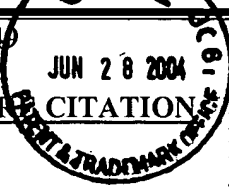
The Commissioner is hereby authorized to charge payment of any deficiency in the above fee(s) or to charge any additional fees required under 37 CFR § 1.16 or 1.17 or credit any overpayment to Deposit Account No. 19-5127.

Respectfully submitted,

Date: June 28, 2004

A handwritten signature in black ink, appearing to read "Michael A. Schwartz", is written over a horizontal line.

Michael A. Schwartz, Reg. No. 40,161
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116
Telephone: 202 424-7500
Facsimile: 202 295-8478



FORM PTO-1449 INFORMATION DISCLOSURE CITATION	Attorney Docket: 19546.0049 Applicants: Manabu Komiyama Filing Date: January 30, 2004	Application No.: 10/766,867 Examiner: TBD Group Art Unit: 2872
--	--	---

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS
	AA	6,477,190B1	November 5, 2002	Komiyama et al.		
	AB	6,545,739 B1	Apr. 8, 2003	Matsumoto et al.		
	AC					
	AD					
	AE					
	AF					

FOREIGN PATENT DOCUMENTS							
	REF. NO.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	CA	2001-291928	Oct. 19, 2001	Japan			
	CB	2003-185502	Jul. 30, 2003	Japan			
	CC	2000-323784	Nov. 24, 2003	Japan			
	CD	11-031859	Feb. 2, 1999	Japan			
	CE	11-119186	April 30, 1999	Japan			
	CF	04-196188	July 15, 1992	Japan			
	CG						
	CH						
	CI						
	CJ						

OTHER REFERENCES		
	REF. NO.	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
	CK	
	CL	
	CM	
	CN	
	CO	
	CP	
	CQ	
	CR	
	CS	
	CT	
	CU	
	CV	
	CW	
	CX	
	CY	
	CZ	

Examiner	Date Considered
Examiner: Initial if reference consider, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Application	